



Application Serial No. 09/854,153 - Filed May 11, 2001

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Newell, et al.

Serial No.: 09/854,153

Filed: May 11, 2001

For: CHANNEL GAIN CONTROL  
FOR AN OPTICAL  
COMMUNICATIONS  
SYSTEMS UTILIZING  
FREQUENCY DIVISION  
MULTIPLEXING

Group Art Unit: 2633

Examiner: Bello, Agustin

Atty. Dkt.: 5957-41409

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, M/S AF, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below:

Rory D. Rankin  
Registered Representative

February 24, 2006  
Date

Signature

**NOTICE OF APPEAL**

Commissioner for Patents  
M/S AF  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the final Office Action dated September 20, 2005.

A Fee Authorization form in the amount of \$620.00 is enclosed to cover the fee for filing this Notice of Appeal pursuant to 37 C.F.R. §1.17(b) large entity and extension of time. The Commissioner is also authorized to charge any extension fee or other fees, which may be necessary to the same account number.

Respectfully submitted,

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